

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Leonard Morgan Hairston,

Petitioner

v.

Sheriff Joe Lombardo, et al.,

Respondents

2:16-cv-01645-JAD-GWF

**Order Denying Application to Proceed
in forma pauperis and Dismissing and
Closing Case**

[ECF No. 1]

Leonard Morgan Hairston, who is representing himself pro se from the Clark County Detention Center, has submitted a motion to proceed *in forma pauperis* and a § 2254 petition. I deny Hairston's IFP application because it is not presented on the proper form and is incomplete. Having reviewed Hairston's § 2254 petition, I deny it without prejudice because it is illegible, and I direct the Clerk of Court to close this case.

If Hairston wishes to file a habeas petition in this court, he must initiate a new action by filing a legible petition on the correct form and he must pay the \$5 filing fee or file a completed application to proceed *in forma pauperis* on this court's approved form. Any further filings in this closed case will be summarily denied.

Conclusion

Accordingly, IT IS HEREBY ORDERED that **Hairston's application to proceed *in forma pauperis* [ECF No. 1] is DENIED, this action is DISMISSED without prejudice, and I decline to issue a certificate of appealability.**

IT IS FURTHER ORDERED that the Clerk of Court is instructed to send Hairston a copy of this order, two copies of this court's approved form for filing § 2254 petitions, and two copies of this court's approved application to proceed *in forma pauperis* for prisoners with instructions and to CLOSE THIS CASE.

Dated this 5th day of August, 2016.



Jennifer A. Dorsey
United States District Judge